



Council Agenda Report

To: Mayor Silverstein and the Honorable Members of the City Council

Prepared by: Susan Dueñas, Public Safety Director

Approved by: Steve McClary, City Manager

Date prepared: March 22, 2023 Meeting date: April 10, 2023

Subject: Review of Homelessness Task Force Charter Progress

RECOMMENDED ACTION: 1) Review the Homelessness Task Force Charter progress on completing the Charter assignments; 2) Review options to address issues the Task Force is having to meet quorum; and 3) Identify next steps.

FISCAL IMPACT: There is no fiscal impact associated with the recommended action.

WORK PLAN: This item was included as part of 1.k., 1.l. and 1.m. in the Adopted Work Plan for Fiscal Year 2022-2023.

DISCUSSION: On July 21, 2021, the City Council held a Special Meeting to discuss issues related to homelessness and adopted Resolution No. 21-43 (Attached) which established the Homelessness Task Force (Task Force) and its Charter. Since August 2021, the Task Force has met monthly and has taken the following actions toward completing the six assignments that comprise the Charter:

Review the Homelessness Strategic Plan goals and objectives:

- March 15, 2022 – Members of the Strategic Plan Review Ad Hoc Committee presented draft revisions to the Strategic Plan Goals and Objectives. The Task Force provided input and edits and moved to continue the discussion to a future meeting for final approval.
- April 19, 2022 – The Task Force Strategic Plan Review Ad Hoc Committee presented the revised Homelessness Strategic Plan Goals and Objectives. The Task Force voted in favor of submitting it to the City Council. The motion was carried

6-0-1, Task Force Member Dittrich abstaining, and Vice Chair Winokur, Task Force Member Benton, and Task Force Member Sampson absent.

- March 21, 2023 – The Task Force voted to review the Strategic Plan again before sending it to the City Council for adoption.

Review the concept, need and possible implementation of an Alternative Sleeping Location (ASL):

- February 1, 2022 – The ASL and Temporary Services Ad Hoc Committee presented a proposed ASL Recommended Action Plan. The Task Force voted in favor of approving the Plan, with amendments, for submittal to the City Council. The question was called, and the motion carried 9-1, Task Force Member Sampson dissenting.
- April 19, 2022 – In response to a recommendation by the City Council to pursue an ASL outside of the City without using City funds, the Task Force voted in favor of providing a recommendation to the City Council to direct staff to pursue the option of securing beds at existing homeless facilities with the use of City funds. The question was called, and the motion carried 6-0, Vice Chair Winokur and Task Force Member Benton, Task Force Member Cohen, and Task Force Member Sampson absent.

Develop a plan to mitigate public safety and environmental impacts, particularly fires related to homeless encampments:

- November 16, 2021 – The Task Force received a report from the Fire, Health, and Public Safety Ad Hoc Committee that outlined the current enforcement of existing municipal codes, implementation of standardized reports, and the use of coordinated, multi-disciplinary/multi-agency actions for the reduction of incidents of arson, encampment fires, environmental degradation, and crime that can be attributed to the City's homeless/unhoused population. By consensus, the Task Force continued the item to a future meeting for further discussion.
- May 17, 2022 – The Task Force received a revised report from the Fire, Health, and Public Safety Ad Hoc Committee. No action was taken.
- September 20, 2022 – The Task Force Regular Meeting agenda included a report from the Fire, Health, and Public Safety Ad Hoc Committee. This item was continued upon approval of the agenda.

- October 18, 2022 – The Task Force received a report from the Fire, Health, and Public Safety Ad Hoc Committee. The Task Force voted to recommend to the City Council that it: 1) In advance of the fire season, request that the Sheriff’s Department enforce any and all laws on the books, including but not limited to Malibu Municipal Code (MMC) Section 9.08.090, Camping, lodging, sleeping overnight on public property, MMC Section 10.19.020, Overnight parking, and MMC Section 10.18, Oversize vehicles, and utilize the crime suppression car for this purpose; and 2) allocate funds to secure emergency beds for the homeless.
- January 17, 2023 – The Task Force Regular Meeting agenda included an item asking whether it wanted to submit to the City Council the revised Fire, Health, and Public Safety Ad Hoc Committee report presented at the October 18, 2022 Homelessness Task Force Regular meeting. The item was continued to the February 21, 2023 meeting for discussion, but was withdrawn from the agenda prior to the meeting due to Ad Hoc Committee Member absence. The item was then moved to the March 21, 2023 meeting for discussion.
- March 21, 2023 – During the Task Force Regular Meeting, the Fire, Health, and Public Safety Ad Hoc Committee presented a revised Fire, Health, and Public Safety Report and requested approval from the Task Force to submit the report to the City Council. The Task Force moved to approve the report, which is now scheduled for presentation to the City Council at the April 10, 2023 Regular Meeting. The Task Force also agreed that this report would replace the recommendation that was made on October 18, 2022.

Explore new ideas to address homelessness, research strategies used by other jurisdictions, and identify best practices that could be implemented in Malibu:

- On December 9, 2021, members of the Task Force visited the Wilmington tiny home village
- On January 13, 2021, members of the Task Force visited the City of Redondo Beach tiny home village
- On January 20, 2022, members of the Task Force visited the City of Baldwin Park tiny home village
- On January 17, 2023, representatives from the City of Santa Barbara provided information about what their City has done to address homelessness

Develop a robust public engagement and outreach plan to obtain community input on proposed strategies to protect the health, safety and welfare of the community from the dangers of homelessness and provide assistance to Malibu residents experiencing homelessness:

- June 21, 2022 – The Task Force Regular Meeting agenda included an item to discuss the development of a Public Engagement and Outreach Plan. The Task Force voted to table this item until the Fire, Health, and Public Safety Ad Hoc Committee made its presentation in July 2022. (The Fire, Health, and Public Safety Ad Hoc Committee did not make a presentation in July.)
- August 23, 2022 – At a Special Meeting of the Task Force, the Task Force established a Public Engagement and Outreach Plan Ad Hoc Committee. However, appointments to the Committee were continued until the Fire, Health, and Public Safety Ad Hoc Committee could present its report since it was determined that suggestions for engaging the community were expected to be part of that presentation.
- October 18, 2022 - The Task Force Regular Meeting agenda included an item to discuss the development of a Public Engagement and Outreach Plan. The item was continued to a future meeting.
- January 17, 2023 – The Task Force Regular Meeting agenda included an item to discuss the development of a Public Engagement and Outreach Plan. The item was continued to the February 21, 2023 meeting for discussion, where it was pushed to the March 21, 2023 meeting.
- March 21, 2023 – During the Task Force Regular Meeting, the Task Force opted not to make any appointments to the Public Engagement and Outreach Plan Ad Hoc Committee and instead assigned the development of a Public Engagement and Outreach Plan to the Fire, Health, and Public Safety Ad Hoc Committee.

Make recommendations to the City Council on all of the above

- March 24, 2022 – At a City Council Special Meeting, the Council reviewed the ASL Recommended Action Plan approved by the Homelessness Task Force on February 1, 2022, and directed the Task Force to pursue the establishment of an ASL outside of the City using non-City funding sources.
- August 8, 2022 – City staff presented to the City Council the Task Force recommendation to pursue beds at an existing facility outside of the City as a means of reducing the risk of fires associated with people experiencing homelessness. Upon approval of the recommendation, the City Council further authorized the expenditure of up to \$100,000 per year to secure up to three homeless shelter beds for a period of twelve months.

- April 10, 2023 – City staff is scheduled to present the Fire, Health, and Public Safety Ad Hoc Committee Report approved by the Task Force on March 21, 2023 to the City Council, outlining multiple recommendations that include the procurement of emergency shelter beds, continued support of LASD in their enforcement of Malibu Municipal Codes, and potential public engagement and outreach efforts.

Since the August 8, 2022 City Council Meeting, staff issued a Request for Proposals (RFP) for Interim Shelter Beds, resulting in one submission from The People Concern (TPC). The TPC proposal provided the option of reserving three bed units at its interim housing facility, Turning Point, in Santa Monica. In November 2022, staff was notified that a request to have the interim shelter bed funded by a Los Angeles County Measure H grant through the Las Virgenes-Malibu Council of Governments (COG) was being approved. The finalized contract between the COG and Los Angeles County was finalized on February 17, 2023 – TPC and the COG entered into an Interim Housing Bed Agreement that reserves three interim shelter units exclusively for the City’s use from March 1, 2023 to February 28, 2024 with an option to renew based on mutually agreeable terms between the parties. The COG will pay TPC \$87,600 for the term of the agreement.

Task Force Review of Charter Progress

During the March 21, 2023 Task Force Regular Meeting, the Task Force reviewed their progress and determined that all but one of the assignments were still in process. The only assignment that they determined was complete was “Review the concept, need and possible implementation of an Alternative Sleeping Location (ASL).” In addition, the Task Force requested the following be added to their Charter:

- Seek solutions in collaboration with City staff, LASD and homeless service providers to address the increase in the number of people living in vehicles within the Malibu community.

In addition, concerns were raised about the ability of the Task Force to meet quorum following the resignation of Task Force Members Bill Winokur, Deborah Benton, and Chris Frost. The Task Force was established as a 10-member body and is currently at seven members. Additionally, staff is concerned that difficulties with meeting quorum will increase when in-person meetings resume.

Staff Recommendation

At this time, staff recommends that the City Council consider the following options to address the challenge the Task Force is having with meeting quorum:

- Leave the Task Force as is and assign new members to fill the vacant positions.
- Reduce the Task Force’s size to enable quorum to be met more easily when in-person meetings resume.
- Disband the Task Force.

- Disband the Task Force and direct staff to establish an Advisory Council comprised of staff appointed community members to review and recommend homelessness efforts moving forward. An Advisory Council with staff appointed members is not subject to the Brown Act and would therefore not be required to meet quorum.

In addition, if appropriate, staff recommends that the City Council review the progress on the Charter assignments and determine if the Charter needs to be modified to include the additional assignment proposed by the Task Force to address the issue of people sleeping in vehicles.

ATTACHMENTS:

- 1) Resolution No. 21-43

RESOLUTION NO. 21-43

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MALIBU
ESTABLISHING THE HOMELESSNESS TASK FORCE AND CHARTER

The City Council of the City of Malibu does hereby find, order and resolve as follows:

SECTION 1. Recitals.

A. The City has endeavored to proactively approach the issue of homelessness within the City by promoting the identification and coordination of available services. In 2017, the City began contracting for homeless outreach services and through this effort has succeeded in moving dozens of individuals into temporary and permanent housing.

B. Despite the many successes, homelessness remains a concern in the City, the County and the Nation. Homeless count numbers in Malibu have not decreased in the past five years. Brush fires stemming from homeless encampments have increased dramatically, with at least 10 to date in 2021.

C. To address these and other issues related to homelessness, the City Council approved the establishment of a Homelessness Task Force at its Regular meeting on July 12, 2021.

D. The Task Force will review current plans and efforts related to homelessness and make recommendations to the City Council.

E. The Task Force will explore new ideas to address issues related to homelessness, research different strategies used by other jurisdictions, identify best practices that could be implemented in Malibu, and make recommendations to the City Council.

F. The Task Force will prioritize ideas and strategies that mitigate public safety impacts on the community.

SECTION 2. The City Council hereby creates the Homelessness Task Force, composed of 10 members who reside or work in the 90265 zip code, with two (2) members appointed by each City Councilmember.

SECTION 3. The Charter for the Homelessness Task Force shall include: 1) Review the draft updated goals and objectives of the Homelessness Strategic Plan; 2) Review the concept, need and possible implementation of an Alternative Sleeping Location (ASL); 3) Develop a plan to mitigate public safety and environmental impacts, particularly fires related to homeless encampments; 4) Explore new ideas to address homelessness, research strategies used by other jurisdictions, and identify best practices that could be implemented in Malibu; 5) Develop a robust public engagement and outreach plan to obtain community input on proposed strategies

to protect the health, safety and welfare of the community from the dangers of homelessness and provide assistance to Malibu residents experiencing homelessness; and 6) Make recommendations to the City Council on all of the above.

SECTION 4. The Task Force will meet at least once monthly on a day and time of its members' choosing and will determine its own organizational structure, including a Chair, Vice Chair and subcommittees or ad hoc committees, as needed.

SECTION 5. The Task Force will provide updates at the first City Council Regular meeting following each Task Force meeting and make recommendations to the City Council as appropriate.

SECTION 6. The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED, and ADOPTED this 21st day of July 2021.

PAUL GRISANTI, Mayor

ATTEST:

KELSEY PETTIJOHN, Acting City Clerk
(seal)

APPROVED AS TO FORM:

JOHN COTTI, Interim City Attorney

I CERTIFY THAT THE FOREGOING RESOLUTION NO. 21-43 was passed and adopted by the City Council of the City of Malibu at the Special meeting thereof held on the 21st day of July 2021 by the following vote:

AYES:	5	Councilmembers:	Farrer, Pierson, Uhring, Silverstein, Grisanti
NOES:	0		
ABSTAIN:	0		
ABSENT:	0		

KELSEY PETTIJOHN, Acting City Clerk
(seal)